

**E N D O R S E M E N T**

CASAS, BENJAMIN & WHITE, LLC v. THE POINTE GROUP, INC., a  
Massachusetts Corporation d/b/a The Pointe Group Healthcare and  
Senior Living; GERALD S. FREID; BARRY FREID; and KEY CORPORATE  
CAPITAL, INC.

04-CV-12333-MEL

---

LASKER, D.J.

Casas, Benjamin and White, LLC ("CBW") moves for a  
preliminary injunction, an immediate accounting, and an  
attachment of real estate owned by The Pointe Group, Inc., Gerald  
S. Fried, and Barry Fried.

Due to numerous outstanding factual questions, CBW  
fails to show a reasonable likelihood of success on the merits.  
The motion is therefore DENIED without prejudice.

The Court is, however, prepared to order early  
depositions of anyone CBW would like to depose, and is prepared  
to consider another motion for preliminary relief should the  
disputed factual issues be clarified.

Accordingly, the plaintiff's motion for a preliminary  
injunction, an immediate accounting, and an attachment of real  
estate is DENIED without prejudice.

It is so ordered.

Dated: January 19, 2005  
Boston, Massachusetts

/s/ Morris E. Lasker  
U.S.D.J.